

DWIGHT F. RITTER, ESQ. (STATE BAR #127030)
RITTER & ASSOCIATES
2869 INDIA STREET
SAN DIEGO, CA 92103
(619) 296-0123

FILED
DISTRICT COURT OF GUAM

Attorney for Plaintiffs
ROBERT MATOS and SLOBODAN PRANJIC

MAY - 7 2007 *hwb*

MARY L.M. MORAN
CLERK OF COURT

IN THE UNITED STATES DISTRICT COURT
FOR THE TERRITORY OF GUAM

TCW SPECIAL CREDITS, et al.)	Case No. 96-00055
)	
Plaintiffs,)	MATOS AND PRANJIC'S RESPONSE
)	TO CHLOE Z'S OBJECTION TO
v.)	SUPPLEMENTAL BRIEF AND
)	CORRECTION TO MATOS AND
FISHING VESSEL CHLOE Z,)	PRANJIC'S SUPPLEMENTAL BRIEF
Et al.,)	
)	
Defendants.)	

Plaintiffs, ROBERT MATOS and SLOBODAN PRANJIC, by their counsel, Dwight Ritter, inform the court that MATOS and PRANJIC have no objection to defendants filing supplemental briefs in reference to the prejudgment and post-judgment issues. Even though Chloe Z has objected to the MATOS and PRANJIC supplemental brief, we believe fairness requires a proper determination of interests on the MATOS and PRANJIC judgments and that the court should be fully informed of the dominant and controlling law as it relates to the determination of

ORIGINAL

1
2
3 prejudgment and post-judgment interest.

4 In that regard, MATOS and PRANJIC seek to correct a past
5 citing error which occurred with regards to the applicable
6 interest rates in the PRANJIC matter. First, in the supplemental
7 brief PRANJIC claimed in item "III", that the proper "average"
8 of statutory post judgment interest rates during the applicable
9 time for purposes of determining prejudgment interest should be
10 5.03%. That number is incorrect. A review of the expert
11 economic analysis provided by Robert Wallace, reveals that the
12 requested percentage rate is actually 4.96%. (See Robert
13 Wallace Exhibit 1 attached) The incorrect prejudgment interest
14 rate in the supplemental brief had no effect on the
15 determination of prejudgment interest by Robert Wallace since he
16 used the appropriate rate of 4.96%.

17 In addition, the supplemental brief at item "IV" also
18 mistakenly suggested a PRANJIC post-judgment interest rate of
19 4.72%. This was also an error and is incorrect. The proper post-
20 judgment interest rate on the PRANJIC judgment is 4.56%. Again,
21 please note that Robert Wallace's post-judgment interest
22 calculations were based on the proper percentage rate of 4.56%
23 and thus his calculations remain accurate in that regard. (See
24 Robert Wallace Ex.1 attached and included in the initial Motion
25 for Prejudgment and Post-Judgment Interest)

26
27 WHEREFORE, MATOS and PRANJIC have no objection to the
28 filing of supplemental briefs by other interested parties and

1
2
3 note these two corrections to the supplemental brief.
4

5 Dated: May 7, 2007

George M. Butler
6 GEORGE BUTLER, Esq.
7 Attorney for Plaintiffs,
8 ROBERT MATOS and
9 SLOBODAN PRANJIC
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Attachment 1

Pranjic ←

Date of valuation	1-Oct-06	Amount of judgement	\$577,421
Date of incident	25-Nov-91		
Date of judgement	11-Jan-99		

Pre-judgement interest

From	To	# Year	Amount	Interest	Total
25-Nov-91	24-Nov-92	1.00	\$ 577,421	\$ 28,640	\$ 606,061
25-Nov-92	24-Nov-93	1.00		\$ 30,061	\$ 636,122
25-Nov-93	24-Nov-94	1.00		\$ 31,552	\$ 667,673
25-Nov-94	24-Nov-95	1.00		\$ 33,117	\$ 700,790
25-Nov-95	24-Nov-96	1.00		\$ 34,759	\$ 735,549
25-Nov-96	24-Nov-97	1.00		\$ 36,483	\$ 772,032
25-Nov-97	24-Nov-98	1.00		\$ 38,293	\$ 810,325
25-Nov-98	10-Jan-99	0.13		\$ 5,225	\$ 815,550
		7.13		\$ 238,129	

Post-judgement interest

From	To	# Year	Amount	Interest	Total
11-Jan-99	25-Nov-99	0.87	\$ 815,550	\$ 32,355	\$ 847,905
26-Nov-99	25-Nov-00	1.00		\$ 38,664	\$ 886,569
26-Nov-00	25-Nov-01	1.00		\$ 40,428	\$ 926,997
26-Nov-01	25-Nov-02	1.00		\$ 42,271	\$ 969,268
26-Nov-02	25-Nov-03	1.00		\$ 44,199	\$1,013,466
26-Nov-03	25-Nov-04	1.00		\$ 46,214	\$1,059,680
26-Nov-04	25-Nov-05	1.00		\$ 48,321	\$1,108,002
26-Nov-05	30-Sep-06	0.84		\$ 42,441	\$1,150,443
		7.71		\$ 334,893	
		14.84	\$ 577,421	\$ 573,022	\$1,150,443

Notes:

Interest is computed daily, and compounded annually.

Interest used for

Pre-judgement 4.96% ←

Post-judgement 4.56% ←